



Atty. Dkt. No. 040356-0384

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hidetoshi ITO et al.  
Title: EXHAUST EMISSION CONTROL DEVICE  
Appl. No.: 09/941,733  
Filing Date: 08/30/2001  
Examiner: Hien Thi Tran  
Art Unit: 1764

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action after the filing of a request for continued examination under §1.114.

**RELEVANCE OF EACH DOCUMENT**

Document A2 discloses an exhaust emission control device.

An English translation of the foreign-language document is not readily available. However, an English language abstract is provided herewith, and a corresponding U.S. application claiming priority based on Document A2 was published in 2003 as Document A1. Consequently, the foreign language document has been submitted in compliance with the PTO requirements and, therefore, the document should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Upon reviewing the present application following receipt of the Notice of Allowance, it was noted that Document A2 is mentioned in JP 9-228828, which is cited on page 1 of the present application and which was submitted with Applicant's IDS filed August 30, 2001. It was also noted that Examiner Tran is handling a U.S. application corresponding to Document A2. Thus, it is believed that Examiner Tran is likely aware of Document A2 and of the effective date of its disclosed subject matter. However, because the record is not fully developed with regard to these facts, Applicant deemed it appropriate to file an RCE in order to make the record clear. Applicant regrets the oversight of not clarifying this matter at a date prior to the first Office Action allowance in this application.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

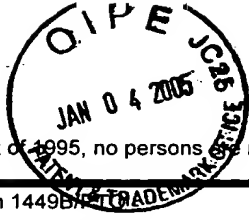
Respectfully submitted,

Date IAN 0 4 2005

By 

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MODIFIED PTO/SB/08 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449B		<b>Complete if Known</b>			
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  Date Submitted: January 4, 2005  (use as many sheets as necessary)		<b>Application Number</b>	09/941,733		
		<b>Filing Date</b>	08/30/2001		
		<b>First Named Inventor</b>	Hidetoshi ITO		
		<b>Group Art Unit</b>	1764		
		<b>Examiner Name</b>	Hien Thi Tran		
<b>Sheet</b>	1	<b>of</b>	1	<b>Attorney Docket Number</b>	040356-0384

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	2003-0099583		IKEDA ET AL.	05-29-2003	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A2	JP	7-174017	A	NISSAN MOTOR CO., LTD.	07-11-1995		Abst.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>

<b>Examiner Signature</b>		<b>Date Considered</b>	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.